

UNITED STATES DISTRICT COURT
DISTRICT OF PUERTO RICO

LUIS ADAMES MILAN, ET. AL.,

Plaintiffs

Vs

CENTENNIAL COMMUNICATIONS CORP, ET.
AL.,

Defendants.

Civil No: 05-1377 GAG-BJM

**JOINT REQUEST FOR DISMISSAL OF THE COMPLAINT WITH
PREJUDICE AND REQUEST FOR PERMISSION TO FILE
DOCUMENT UNDER SEAL WITH THE COURT**

TO THE HONORABLE COURT:

COME NOW, **Plaintiffs**, and **Defendants**, through the undersigned counsels, and respectfully submit their Joint Voluntary Dismissal as follows:

1. On April 6, 2005, plaintiffs in the aforementioned complaint filed a claim against Puerto Rico Cable Acquisition Company, Inc. (hereinafter "PRCA"), Hick Muse Tate and Furst ("HMTF"), Centennial Communications Corp., Centennial Puerto Rico Operations Corp. and Centennial Cable TV Operations Corp. (hereinafter the collectively referred to as "Centennial Entities") alleging that they had failed to provide the 60-day advance notification provided in the Workman's Adjustment and Retraining Notification Act ("WARN"), 29 U.S.C.A. § 2101, *et seq.* (Docket #1).

2. On February 13, 2006, all plaintiffs amended their complaints to include unjust dismissal claims under Commonwealth Law No. 80 of May 30, 1976, as amended (29 L.P.R.A. § 185a *et seq.* (Docket #38). On March 9, 2006 the Court authorized the referred amendment to the complaint (Docket #45).

3. The parties have reached an agreement to settle all the claims and to desist from such, with prejudice.

4. The parties have also agreed that the dismissal should be without imposition of costs or attorneys fees on any party.

3. The parties have agreed that they will file the instant motion, to ask that the Court dismiss the case in its entirety, with prejudice, and that the judgment become final and un-appealable from the time it issues. The parties have also agreed that the Court retain jurisdiction in order to enforce the agreement in the event of a violation of its terms.

4. The terms of the parties' settlement agreement are set forth in a sealed manila envelope included as Attachment A to the original of this motion, which is being filed with the Clerk of the Court at the intake counter together with a printout of the Notice of Electronic Filing of this motion, as required by the Revised Manual for CM/ECF Filing. Because the parties wish for the terms of the agreement to remain confidential from the public they do not want it to be filed as part of the case's docket. Instead they request that it be kept under seal of the court at the Clerk's Office Vault.

WHEREFORE, it is respectfully requested that the Court dismiss the complaint and with prejudice, retain jurisdiction as to the enforcement and compliance with the terms of the agreement included as Attachment A of the original motion, and that said Attachment A be kept under seal of the court.

WE HEREBY CERTIFY that on this date the undersigned counsels for the defendant have electronically filed the foregoing Joint Motion with the Clerk of the Court, using the CM/ECF System which will send notification of such filing to: Pedro R.

Vázquez, Esq., Jose F. Benitez-Mier, Eileen Garcia-Wirshing, Esq., and Judith Torres,
Esq.

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